

REMARKS

The Examiner has rejected Claims 21, 23, 25, 30, 32, 34, and 38 under 35 U.S.C. 103(a) as being unpatentable over Knight et al. (USPN 676506) in view of Sellar (USPN 5662530). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove.

In particular, the Examiner has argued that Figures 3, 4, and 5 of Knight show a pair of bands flanking the equator line, and that these bands inherently indicate any spin associated with the ball after being struck. Again, applicant respectfully disagrees. While the bands flank the equator to some extent, they do not do so to inherently indicate any spin associated with the ball after being struck. The fact that the bands intersect renders a "blurring" effect after being struck, giving no visual indication of any spinning. Only applicant's claimed "spaced *parallel* bands flanking an equator of a body of the golf ball...indicate any spin associated with the golf ball after putting." (emphasis added).

Applicant further emphasizes that this feature works in synergistic combination with the claimed "putt target marking situated on the equator of the body between the bands." In particular, by "indicating a point on the golf ball to be struck when putting," the "putt target marking" ensures that the claimed "spaced *parallel* bands" may be used to effectively "indicate any spin associated with the golf ball after putting." For example, if a user (not instructed by the putt target marking) hit the ball at a point offset 90 degrees from the putt target marking, the spaced parallel bands would simply provide the blurring affect inherent in Knight. Simply nowhere in the prior art is there such a combination of features and components for fulfilling the foregoing objectives.

The Examiner has rejected Claims 22, 24, 31, and 33 under 35 U.S.C. 103(a) as being unpatentable over Knight et al. (USPN 676506) in view of Sellar (USPN 5662530) in further view of official notice. Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove. Note that Claim 34 now includes the limitations of Claim 24.

In particular, with respect to Claim 24, the Examiner states that it is common within the art to use text to indicate instructions, and therefore, would have been deemed obvious. Applicant respectfully disagrees. In the art at hand (namely, the golf ball art), applicant's claimed "indicia [that] includes a drive target marking situated on the body of the golf ball, and further comprising using the drive target marking to determine a point on the golf ball to be struck when driving, wherein text indicates that the drive target marking is the point on the golf ball to be struck when driving" is deemed novel and critical. Specifically, the use of indicia such as drive target marking would be difficult without instructions. Since such instructions would otherwise be lost or forgotten during a game of golf, applicant has employed the unique technique of utilizing the novel claimed "indicia situated on the outer surface of the body" where the "indicia further includes text which indicates that the drive target marking is the point on the golf ball to be struck when driving."

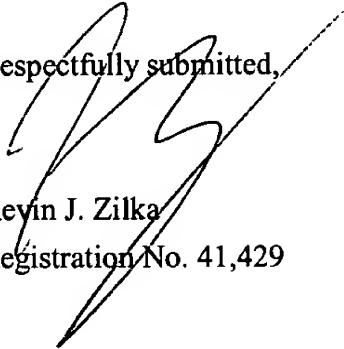
With respect to Claim 33, the Examiner states that it is common within the art to use color to distinguish elements that are the same, and therefore, it would be obvious to have any number of golf balls of a number of colors. Again, applicant respectfully disagrees. Applicant's advance in the specific art of golf balls includes not just utilizing any number of golf balls of a number of colors, but rather "a putt golf ball with the outer surface thereof having a first color, a drive golf ball with the outer surface thereof having a second color different from the first color, and additional golf balls with the outer surfaces thereof having different colors," features found nowhere in the prior art and serving the vital function of providing a quick, effective differentiating function for discerning between a drive golf ball, putt golf ball, additional golf balls, etc.

Simply nowhere in the prior art is there such a combination of features and components for fulfilling the foregoing objectives. It should be noted that "if the applicant traverses such an [official notice] assertion the examiner should cite a reference in support of his or her position." (See MPEP 2144.03)

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. If any fees are due in

connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-1351 (Order No. PET1P001A).

Respectfully submitted,



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